

PAHS 408

PUBLIC PERSONNEL

ADMINISTRATION

Session 11 – Discipline and Grievance

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UNIVERSITY OF GHANA

College of Education

School of Continuing and Distance Education

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Course Information

Provide the following information:

Course Code:

PAHS 408

Course Title:

Public Personnel Administration

Course Credit

Three (3)

**Session Number &
Session Title:**

Session 11 – Discipline and Grievance

Semester/Year:

Second / 2017/2018 – 2018/2019

Course Instructor's Contact

Provide the following information:

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Name**

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Session Overview

- This session focuses on issues of discipline and grievances in an organization.
- It describes how discipline can be used appropriately without depriving employees of their rights to due process.
- The session examines the nature and place of grievance and discipline in employment contract.
- It also examines the types of rules in an organization and the types of penalties for flouting those rules.
- The session further highlight discipline and grievance procedures.

Session Outline

- The key topics to be covered in this session are as follows:
- Discipline
- Grievance
- Discipline Procedure
- Grievance Procedure

Session Objectives

Lesson Objectives:

By the end of this session you should be able to:

1. Examine the nature and place of grievance and discipline in employment contract.
2. Review the Milgram experiments with obedience and use them to explain our response to authority
3. Explain the framework of organizational justice in the business
4. Explain grievance and discipline procedures.

Reading List

- Armstrong M. and Taylor M. (2017). *Handbook of Human Resource Management Practice*. (14th Edition), Kogan Page, London.
- Nigro, L. G. & Kellough, J. E. (2014). *The new public personnel administration*. Cengage Learning.
- Dessler, Gary (2013). *Human Resource Management*. (13th Edition), Global Edition, Pearson Boston.
- Torrington, D., Hall, L, Taylor S. Atkinson L (2012) *Human Resource Management*. (8th Edition). FT Prentice Hall.
- Klingner Donald E., Nalbandian, John, & L.Lorens, Jared (2010). *Public Personnel Management: Context and Strategies*. (6th Edition), Pearson Publishing Company.

Session Activities and Assignments

This week, complete the following tasks:

- Log onto the UG Sakai LMS Course site: <http://sakai.ug.edu.gh>
- Read Chapter 25 (pages 595-615) of Torrington, D., Hall, L, Taylor S. Atkinson L (2012) *Human Resource Management*. (8th Edition). FT Prentice Hall., and Chapter 14 (pages 484-512) of Dessler, Gary (2013). *Human Resource Management*. (13th Edition), Global Edition, Pearson Boston.
- Watch the videos for session 11 – Discipline and Grievance
- Review Lecture Slides: Session 11 – Discipline and Grievance Procedures
- Visit the Chart Room and discuss the forum questions on session 11
- Complete the individual and Group Assignments for Session 11

Topic One

DISCIPLINE AND GRIEVANCE



Discipline and Grievance

Meaning of Discipline and Grievance

- Describe breakdown of mutual confidence between the employer and employee
- Mutual expectations form the basis of the working relationship
- When the working relationship goes wrong:
 - Employee dissatisfaction = grievance
 - Employer dissatisfaction = disciplinary
- Intended to avoid sanction of dismissal, but to provide the grounds for that if necessary

Discipline

- Discipline involves the conditioning of moulding of behaviour by applying rewards and penalties.
- The purpose of discipline is to encourage employees to behave sensibly (where sensible means adhering to rules and regulations) at work.
- In an organization, rules and regulations serve purposes similar to what laws do in society.
- Discipline is called for when one of these rules or regulations is violated.
- A fair and just discipline process is based on three pillars:
 - clear rules and regulations,
 - a system of progressive penalties,
 - and an appeals process.

Discipline

Types of Discipline

Regulation of human activity to produce a controlled performance

- Managerial discipline
- Team discipline
- Self-discipline

Discipline

Forms of Discipline

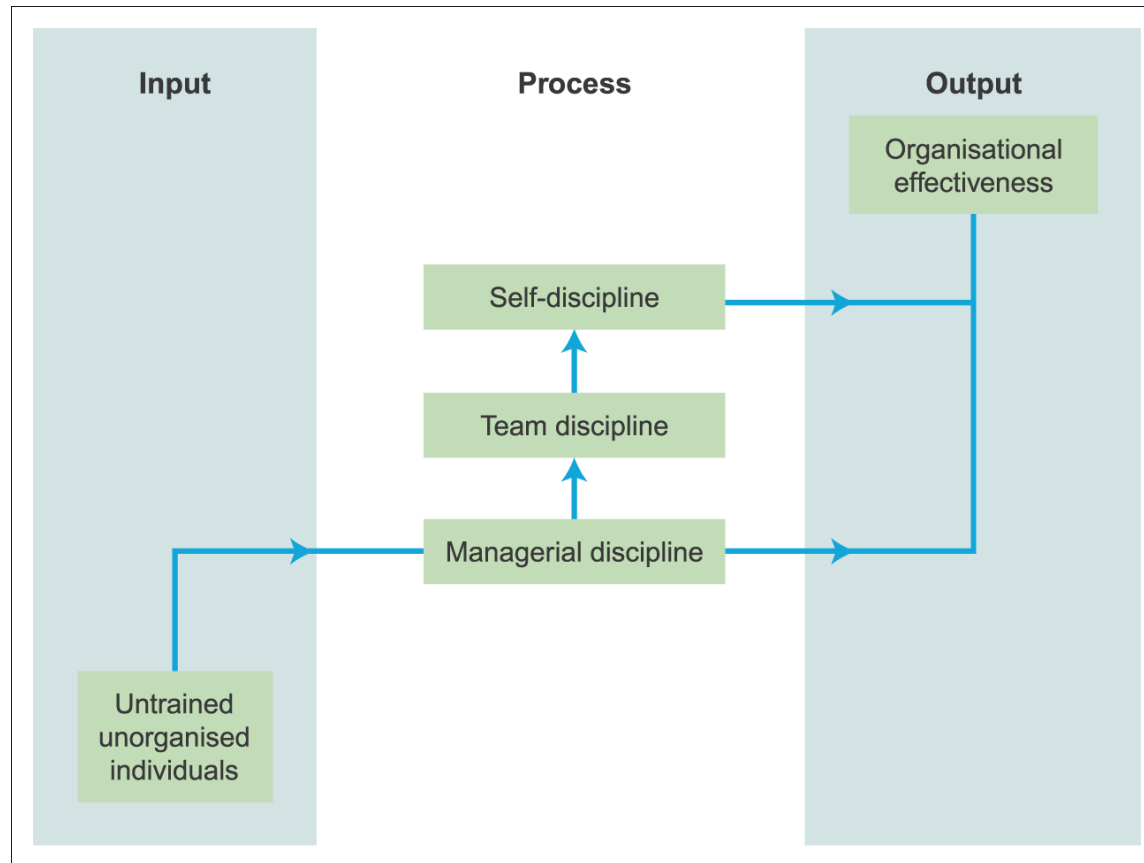


Figure 1 Three forms of discipline

Discipline

Value of Discipline

- Negative – producing punishment or prevention
- Valuable quality for individuals

Discipline

Factors for Obedience to Authority

1. Family
2. Institutional setting
3. Rewards
4. Perception of authority
5. Entry into the authority system
6. Overarching ideology

Grievance

What do we Mean by Grievance

- Dissatisfaction – anything that disturbs an employee, whether or not the unrest is expressed in words
- Complaint – a spoken or written dissatisfaction brought to the attention of the supervisor
- Grievance – a complaint that has been formally presented to a management representative

Grievance

Types of Complaints

- Factual and can be easily tested
- Based on partly subjective reactions
- Involving the hopes and fears of employees

Discipline and Grievance

Rules

- Every workplace has rules
- Rules need to be clear and readily understood
- Number of rules should be sufficient to cover all obvious and usual disciplinary matters
- Helpful if rules are jointly determined
- Easy access to rules

Discipline and Grievance

Types of Rules

1. *Negligence* – Failure to do the job properly and is different from incompetence because of the assumptions that the employee can do the job properly, but has not.
2. *Unreliability* – is failure to attend work as required, such as been late or absent
3. *Insubordination* – is refusal to obey an instruction or deliberate disrespect to some one in a position of authority.
4. *Interfering with rights of others* – covers a range of behaviours that are socially unacceptable
5. *Theft* – is a clear-cut aspect of behavior that is unacceptable.
6. *Safety offences* – are those aspects of behavior that can cause a hazard.

Discipline and Grievance

Ensuring Rules are Kept

1. Provision of information – to let people know what the rules are
2. Induction
3. Placement or relocation – can avoid the risk of rules being broken, by placing a new recruit with a working team that has high standards of compliance.
4. Training – increases awareness of the rules.
5. Review – to ensure rules are up-to-date.
6. Penalties – make the framework of organizational justice firmer if there is an understanding of what penalties can be imposed, by whom and for what.

Discipline and Grievance

Types of Penalties

- **Rebuke** – the simple ‘don’t do that’ or ‘if you are late again you will be in trouble’.
- **Caution** – Slightly more serious and formal is the caution, which is then recorded. This is not triggering the procedure for dismissal.
- **Warnings** – When managers begin to issue warnings, great care is required because unfair dismissal legislation has made the system of warnings an integral part of disciplinary practice.
- **Disciplinary transfer or demotion**– moving the employee to less attractive work, possibly carrying a lower salary. The seriousness of this is that it is public, as the employee’s colleagues know the reason.
- **Suspension** – This tactic has the benefit of being serious and is not as long lasting demotion. The employer has contractual obligation to provide pay, but not to provide work, so it is easy to suspend some one from duty with pay either as a punishment or while an alleged offence is being investigated.

Discipline and Grievance

Features of a Grievance Procedure

1. Fairness – is needed, to be just, but also to keep the procedure viable.
2. Representation – can help the individual employee who lacks the confidence or experience to take on the management singlehandedly.
3. Procedural steps – should be limited to three:
 - i. The first step is the *preliminary* – when the grievance is lodged with the immediate superior of the person with the complaint.
 - ii. The *hearing* gives the complainant the opportunity to state the grievance to a more senior manager, who is able to take a more broader view of the matter than the immediate superior.
 - iii. If there is an appeal, this will usually be a more designated senior manager
4. Promptness- avoids the bitterness and frustration that comes from delay.

Discipline and Grievance

Outline of Grievance Procedure

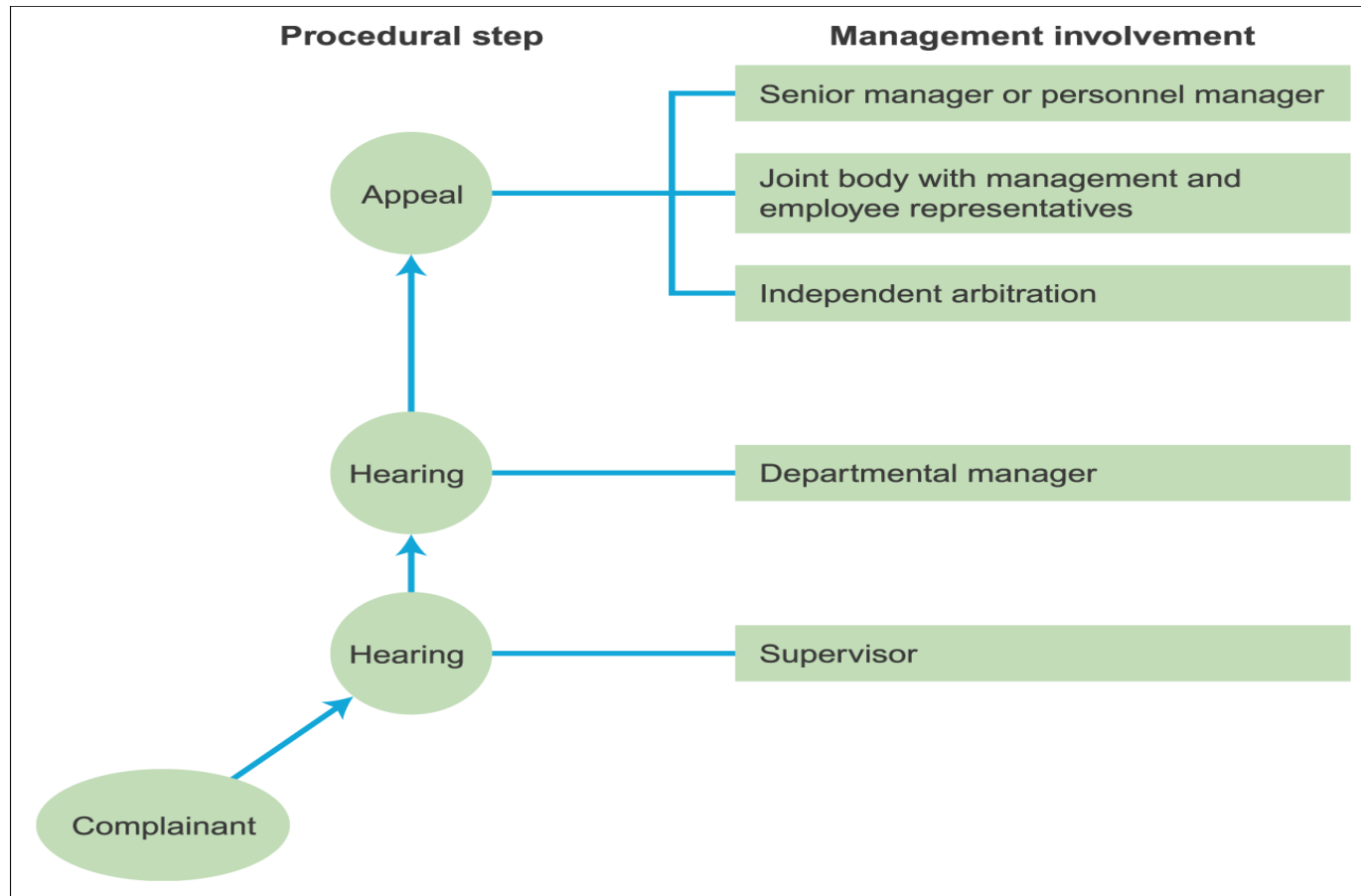


Figure 2 Outline grievance procedure

Discipline and Grievance

Discipline Procedure

- Procedures similar to grievance and
- Depends equally on fairness, promptness and representation
- Additional features – authorization of penalties, investigation, information and explanation

Discipline and Grievance

Discipline Procedure

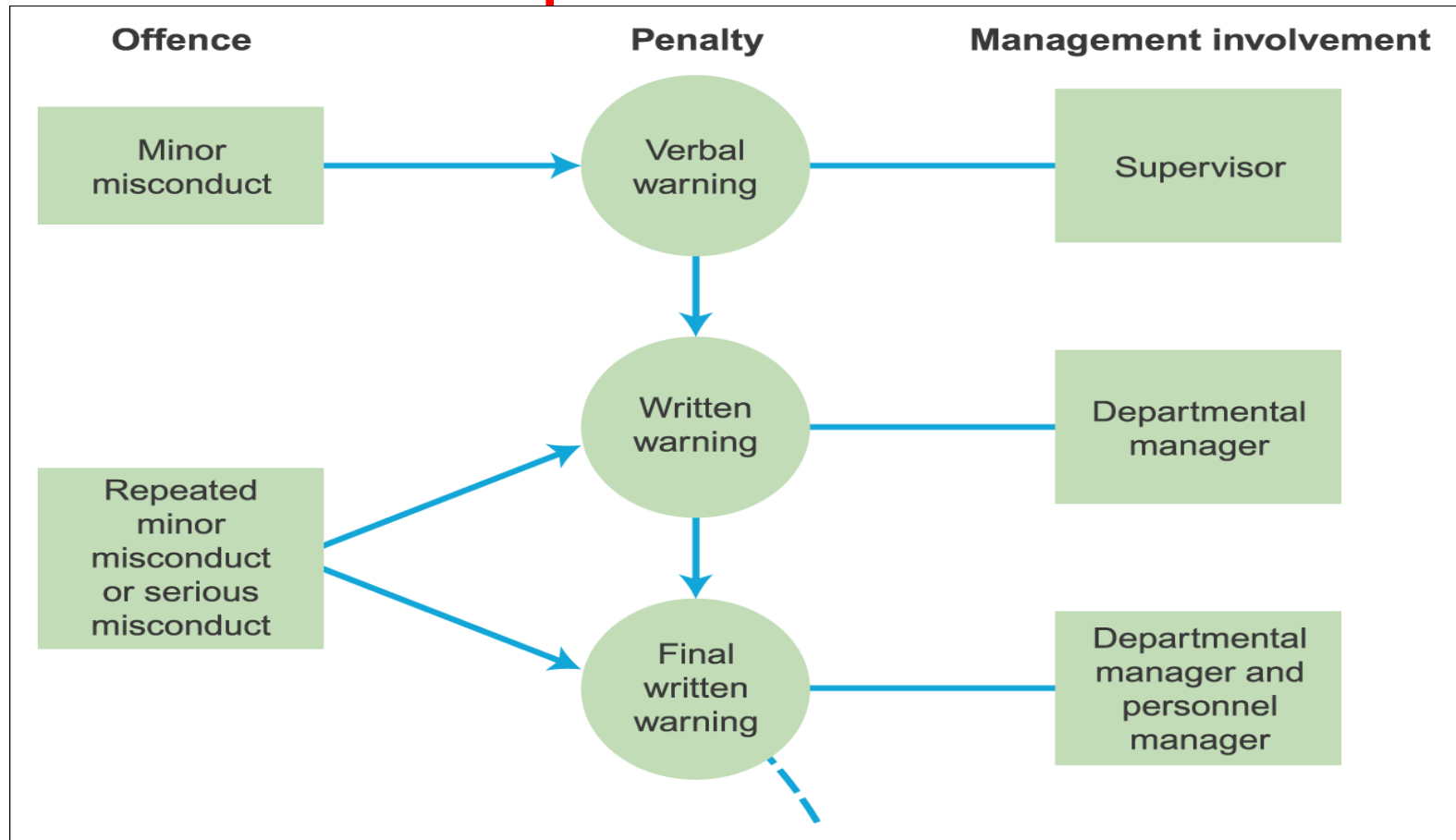


Figure 3 Outline disciplinary procedure

Discipline and Grievance

Discipline Procedure

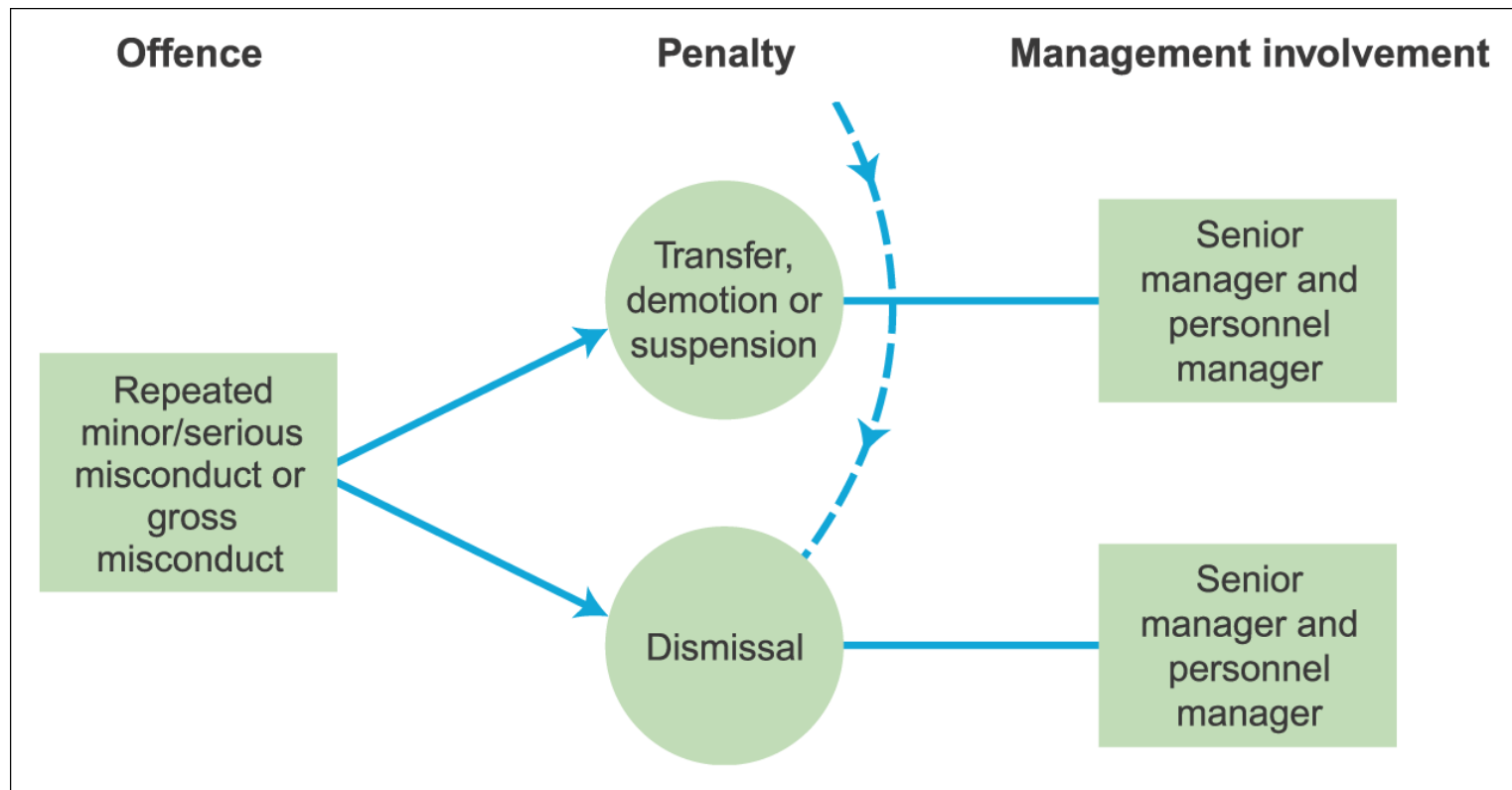


Figure 3 Outline disciplinary procedure (Continued)

Discipline and Grievance

HR Role

- Facilitate and administer grievance and disciplinary issues
- Devise and negotiate the procedural framework or organizational justice
- Involved in interviews and problem-solving discussions
- Maintain viability of the whole process
- Monitor and make sure grievance are not overlooked
- Oversee disciplinary machinery

Discipline and Grievance

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Discipline and Grievance

Activity

- What avenues are available for employees who lose their jobs inappropriately to regain them?
- Mention and explain five (5) types of misconducts and the penalties for such misconducts in an organization.
- Explain the features of a grievance procedure.

SUMMARY

In this Session, you have learnt that

- General predilection of people to obey commands from those holding higher rank
- Exercise of discipline limited by the procedural structures for grievance and discipline
- Grievance and discipline are HR areas which other people do not want to take over
- Discipline can be understood as being managerial, team or self-discipline

SUMMARY

- Dissatisfaction, complaint and grievance form a hierarchy
- Grievance and discipline processes require a framework of organizational justice
- The grievance and disciplinary process frameworks are key to being equitable
- Effective management of both discipline and grievance is achieved by following the principles of procedures without invoking them